

The Muscatine County Board of Adjustment met in the Board of Supervisors Office on Friday, March 10, 2023, with Acting Chairperson Tom Harper, and board members Carol Schlueter and Charles Clark present, Janelle Spies and Emily Geertz were absent. Eric S. Furnas, Planning, Zoning & Environmental Administrator and Dixie Seitz, Office Administrator also attended.

Present for this hearing: John Sleichter.

Tom Harper: I will open the Board of Adjustment meeting by reading the opening statement. The Zoning Board of Adjustment is a quasi-judicial board appointed by the Muscatine County Board of Supervisors. The Board's purpose is to interpret the Zoning Ordinance and to allow certain limited exceptions and variances where special conditions or hardships exist. We are an independent volunteer board of citizens and not part of the county administration. There are five members on the Board, however we only have three members here today. You can ask to have this meeting tabled until next month when we may or may not have a full board. If we vote on it today it would have to be a unanimous vote in order to pass, or you would have to ask for us to table your request prior to the vote. State law requires three affirmative votes to approve any appeal under consideration, no matter how many members are present. If fewer than five members are present, the appellant has the opportunity to have the appeal delayed until the next meeting. This request must be made prior to Board deliberation of that case. As a Board of the County, we welcome all testimony. We make our decision based on the facts and evidence under county code, presented in open meeting. We ask that if you wish to speak, please give your name and address. The other thing that we need to do is to approve the minutes from the last meeting and the resolution. We've all received the minutes and resolution. If there are no changes, do I have a motion to approve?

Carol Schlueter: So moved.

Tom Harper: Is there a second?

Charles Clark: Second.

Tom Harper: Any further discussion? Not hearing any, all in favor of approving the minutes and resolution from last month please say Aye (3) Opposed (0) Absent (2). The motion is approved, the minutes and resolution is approved. Eric, can you please read the request?

Eric Furnas: Case #23-03-01. An application has been filed by John M. Sleichter, Record Owner. This property is located in Bloomington Township, in part of the SE $\frac{1}{4}$ of Sec. 13-T77N-R2W, Rolling Acres Subdivision, Part II, Lot 25, 2761 Edgeview Road, zoned R-1 Residential District, containing approximately 1.08 acres. This request, if approved, would allow the Zoning Administrator to issue a Variance in order to place an outbuilding in the front yard space, but it would be at least 50 feet back from the front lot line.

Tom Harper: Okay, was there any correspondence?

Eric Furnas: No sir.

Tom Harper: Okay, would the spokesperson or owner please state their name and tell us about your request?

John Sleichter: My name is John Sleichter. Every since my wife passed away I don't have anybody around to say don't buy so much stuff. Although I would trade everything that I've got for her. But that subdivision, unfortunately there are a lot of people that park trailers and all sorts of things out in front of their houses, and I don't care. But I have a pickup truck that I've been working on and I've been waiting for the son to come and get it but he doesn't seem to want it. To

me, I don't like that... I would like to be able... In my other garage, it's all full of junk. So I don't really have a hardship but I think in putting a nice two stall garage in front of the house would look nice. I mean, it would be nice to have things out of the weather too. It's about 140 feet from the street, I walked it off.

Eric Furnas: Well we measure from the property lines, and it looks like when I was out there and GPS'd it that it was about 78 feet from the property line.

John Sleichter: Yeah, and the fellow that lives next door... he came over before he had to leave town. He said that he didn't have a problem with it. I don't know, it's just something that I would like to have.

Eric Furnas: I've attached the development report. There are different things concerning this lot.

Carol Schlueter: What does the orange mean?

Eric Furnas: That space represents the septic field, so that space really isn't available. There is also flood plain on the rear lot, so that leaves very little space in the rear of the home. Most of the houses in this subdivision set far back on the lot. They have big long driveways. So the green square with the green line, that is approximately where he wants to place the outbuilding. That should be the approximate size of the building too. Mr. Sleichter had staked out the building where he wanted it, so I GPS'd it.

Carol Schlueter: And what's the size of it?

John Sleichter: It's 24' x 24'. It would be on a floating slab.

Eric Furnas: And the rear lot drops down into the flood plain, so the rear lot is not a real viable option to place an outbuilding.

John Sleichter: Yeah the rear lot drops down about 30 feet.

Carol Schlueter: So it's going to be like a garage with garage doors and all?

John Sleichter: Oh yeah.

Carol Schlueter: Is it going to be a metal building?

John Sleichter: It's going to be a metal building and I intend to side it... I'm having Coach... They said... I want to do cedar siding so that it matches the existing dwelling. It's not like... this one fellow in the subdivision put this huge pole building up right next to his house. The house is yellowish tan and the pole building is gray and it's a nasty thing with like huge doors for like a semi. Have you seen that? It doesn't bother me, but I don't like the way it looks.

Eric Furnas: Yeah, I think I know.

John Sleichter: I think it's Andy Minder.

Eric Furnas: Oh, yeah, he has a big boat I think.

John Sleichter: Yeah, but I'd like to make it look nice.

Tom Harper: But there's not going to be another driveway put in for it, right?

Eric Furnas: No. That illustration just shows how far from the front lot line. This would still meet the side lot line setbacks. There is a row of some trees between you and the neighbor as well, that would allow for some vegetative screening.

John Sleichter: Yeah and if you approve it, I would plant more trees and shrubs. I like my privacy.

Eric Furnas: With it being over 75 feet back from the front lot line, it obviously would not provide any visual obstruction when you are trying to pull out onto the subdivision road, because you are way out in front of it by the time you get to the intersection of the drive. I think with the flood plain, the septic location...

Tom Harper: And since this is an older subdivision, the fact that most of the houses are set way back on the lot, there's not much room to place an outbuilding in the backyard.

Eric Furnas: Yeah, and there is flood plain in the rear of this lot. I do think that there is adequate protection from the public from allowing this placement.

Tom Harper: Is this the main road into this subdivision?

Eric Furnas: No, this is one of the side roads, it's not the main road coming into the subdivision.

Tom Harper: Does anybody else have any questions, comments or discussion? Would you like to proceed Mr. Sleichter?

John Sleichter: I'll proceed.

Tom Harper: Does anybody care to make a motion?

Carol Schlueter: I will make a motion that we allow this Variance in order for Mr. Sleichter to build an outbuilding in front of his dwelling but it would be at least 50 feet back from the front lot line.

Tom Harper: Is there a second to that motion?

Charles Clark: I will second the motion.

Tom Harper: Okay, there has been a motion to approve the Variance and it has been seconded. Is there any further questions or comments? Not hearing any, all those in favor of motion please say Aye (3) Opposed (0) Absent (2). The motion has been declared approved. Any construction or use allowed by this Board must begin within two (2) years from the date of this decision, or the permission would be void. Any person desiring to appeal this decision to District Court must do so within 30 days after filing this decision.

MUSCATINE COUNTY BOARD OF ADJUSTMENT
By Eric S. Furnas, Planning, Zoning & Environmental Administrator